

CHAPTER 22.106 - SAN LUIS OBISPO AREA COMMUNITIES AND VILLAGES

Sections:

22.106.010 - Avila Beach Community Standards

22.106.020 - Los Ranchos-Edna Village Standards

22.106.010 - Avila Beach Community Standards

The following standards apply within the Avila Beach urban reserve line to the land use categories or specific areas listed.

- A. Community-wide standards.** The following standards apply within Avila Beach, in all land use categories, as applicable.
1. **Avila Beach Drive and San Luis Bay Drive Level of Service.** The level of service (LOS) for Avila Beach Drive and San Luis Bay Drive shall be based on the average hourly weekday two-way 3:00 p.m. to 6:00 p.m. traffic counts to be conducted during the second week in May of each year.
 2. **Avila Valley.** The Avila Valley area is defined in Figure 106-1.

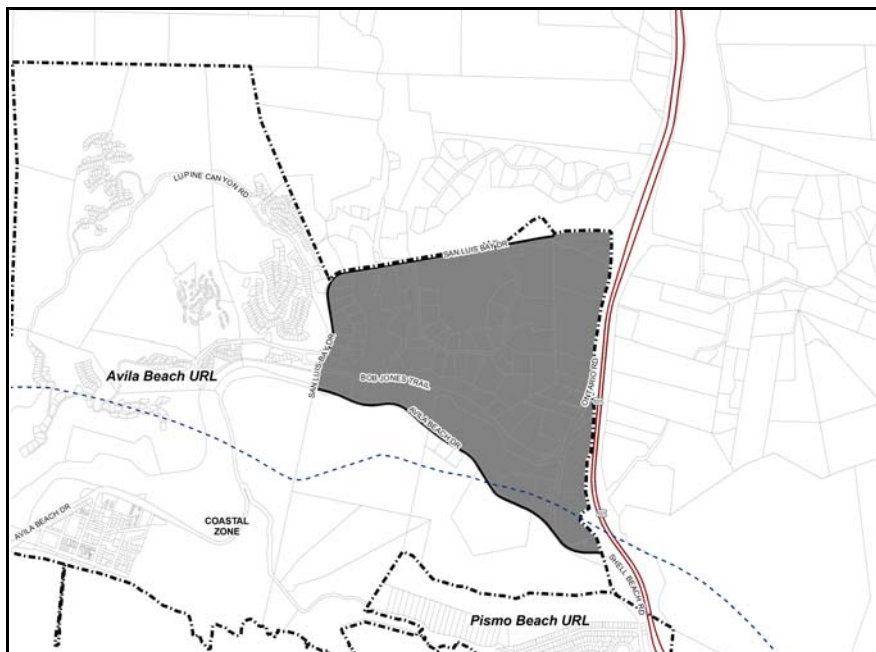


Figure 106-1 - Avila Valley Area

3. **San Luis Bay Estates.** The San Luis Bay Estates Area is defined in Figure 106-2.

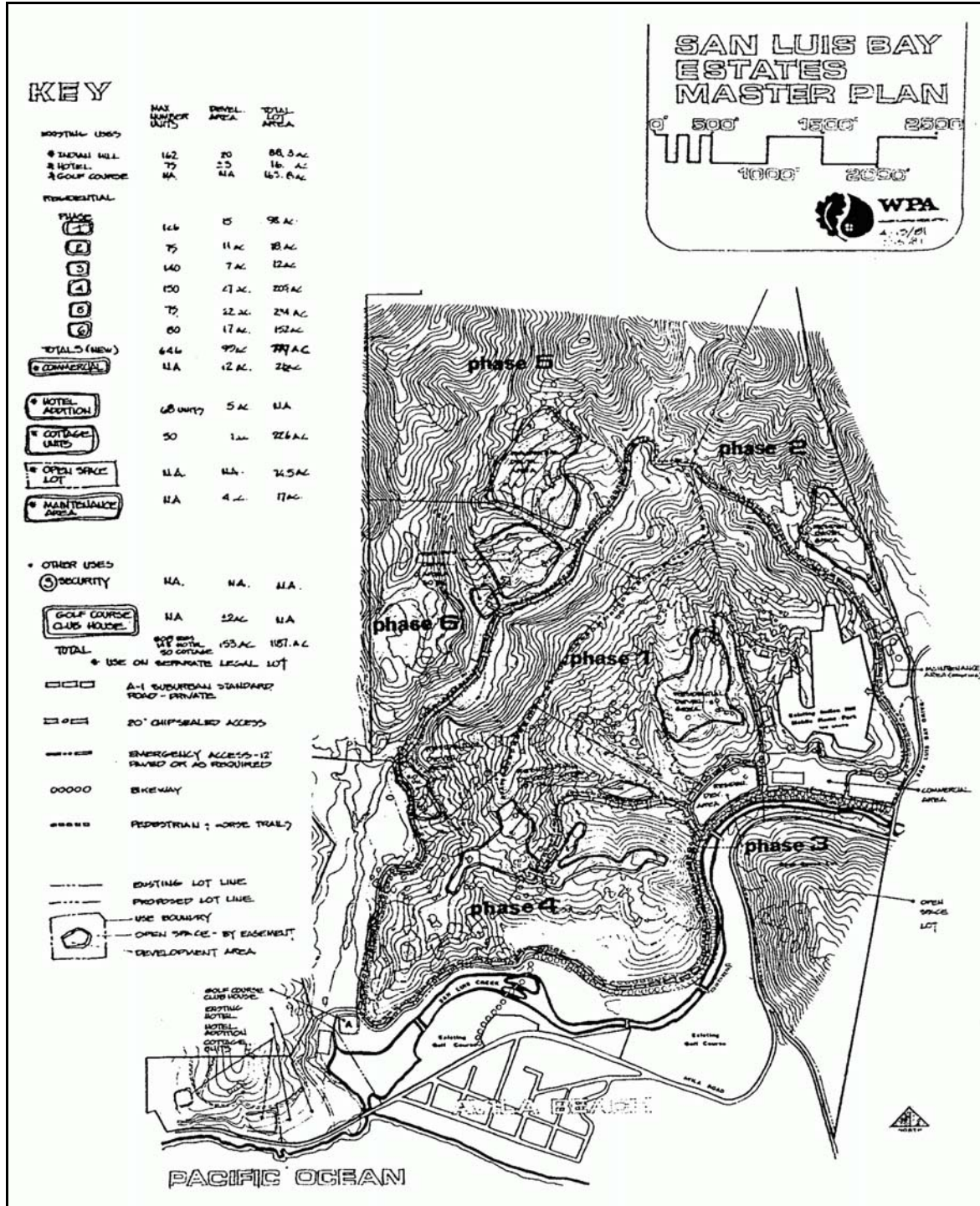


Figure 106-2 - San Luis Bay Estates Master Use Permit

B. Rural Lands (RL). The following standards apply within the Avila Valley Rural Lands land use category.

1. **Permit requirement.** Conditional Use Permit approval is required for all uses adjacent to Avila Road.
2. **Open space preservation.** New development proposals shall include provisions for guaranteeing preservation of the steep wooded slopes south of Avila Road extending to Ontario Ridge. Guarantees of open space preservation may be in the form of agreements, easements, contracts or other appropriate instrument, provided that such guarantee is not to grant public access unless desired by the property owner.

C. Commercial Retail (CR). The following standards apply within the Commercial Retail land use category.

1. **Avila Valley.** The following standards apply only to Avila Valley (see Figure 106-1), to the specific areas listed.
 - a. **Limitation on use.** Land uses shall be limited to highway and tourist oriented uses.
 - b. **Permit requirement.** Conditional Use Permit approval is required for all uses.
 - c. **Access - Commercial site at San Luis Bay Drive and Highway 101.** Primary access to the commercial site shall be from San Luis Bay Drive.
2. **San Luis Bay Estates.** The following standards apply only to the San Luis Bay Estates (see Figure 106-2), to the specific areas listed.
 - a. **Limitation on use.** Land uses in the commercial village shall be limited to bars and night clubs, convenience and liquor stores, financial services, general retail, grocery stores, health care services, offices, personal services, public assembly and entertainment, and restaurants.
 - b. **Permit requirement.** Conditional Use Permit approval is required for the commercial "village."
 - c. **Location criteria - Commercial uses.** Commercial uses shall be located north of the main access road, west of San Luis Bay Drive.

D. Open Space (OS). The following standards apply within the Open Space land use category:

1. **Density calculations.** Within the San Luis Bay Estates Open Space land use category, the parcel lying southerly of Avila Road shall be included in overall project density calculations to determine the required open space acreage for the entire project under the cluster division provisions of this Title.
2. **Riparian vegetation.** Within the Open Space land use category, riparian vegetation shall be retained along the creek.

E. Recreation (REC). The following standards apply within the Recreation land use category.

1. **Avila Valley.** The following standards apply only to Avila Valley (see Figure 106-1), to the specific areas listed.
 - a. **Pacific Coast Railroad right-of-way.** Allowable uses are limited to the proposed railroad line, bicycle and hiking trails. Construction of the proposed railroad shall be authorized by Conditional Use Permit approval.
 - b. **RV park expansion.** The existing camper park south of San Luis Obispo Creek is not to be expanded into the creek floodplain.
 - c. **Sycamore Hot Springs - Development standards.** Continuing expansion of existing facilities shall occur in accordance with the approved Conditional Use Permit. The area north of Avila Road may be developed with low intensity recreation and open space uses (see Subsections E.1d(1) through d(3)).
 - d. **Avila Road.** The following standards apply to the area bounded by San Luis Obispo Creek on the north, San Luis Bay Drive on the west, Ontario Road on the east and Avila Beach Drive on the south, except for the area shown in Figure 106-3.
 - (1) **Limitation on use.** Land uses shall be limited to those uses identified by by Section 22.06.030 as being allowable, permitted, or conditional uses in the Open Space land use category, with the addition of the uses included under the definition of outdoor sports and recreation.
 - (2) **Permit requirements.** Conditional Use Permit approval is required for all uses.
 - (3) **Flood protection.** Structural uses shall be protected from flooding or clustered on contiguous parcels under the same ownership.
 - e. **Intersection of Ontario Road and Avila Beach Drive.** The following standards apply to the area at the intersection of Ontario Road and Avila Beach Drive shown in Figure 106-3.

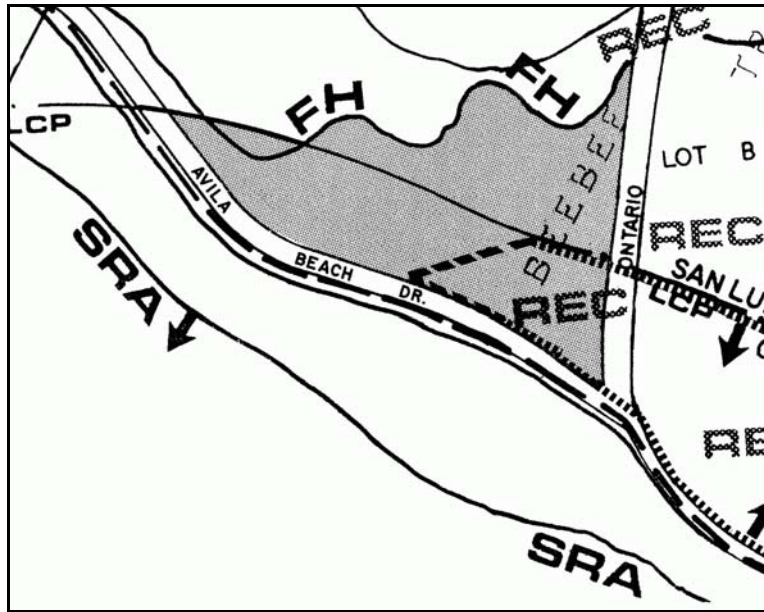


Figure 106-3 - Intersection of Ontario Road and Avila Beach Drive

- (1) **Limitation on use.** Land uses shall be limited to those identified by Section 22.06.030 as allowable, permitted, or conditional uses in the Open Space land use category, with the addition of: libraries and museums, outdoor sports and recreation, restaurants, grocery stores, and roadside stands.
 - (2) **Permit requirements.** Minor Use Permit approval is required for all new uses proposed in existing structures. Conditional Use Permit approval is required for all new uses that propose any additional structures. Land use permit applications shall include a review of potential traffic impacts to Avila Beach Drive and the intersection of Avila Beach Drive and Ontario Road.
 - (3) **Site design criteria.** Commercial development (existing and proposed structures) shall be limited to a total of 6,000 square feet. All development shall be located at least 100 feet from the upland extent of riparian vegetation. All structures shall be located outside of the Flood Hazard Combining Designation
- f. **Tract 699 - Offer of dedication.** Lot 31 of Tract 699 along San Miguelito Creek has been offered for dedication to the County for future recreational and open space purposes. Until such time as the offer of dedication is accepted by the County, private use of this area shall not hinder or preclude potential future public recreational and open space use and shall not disturb riparian vegetation.

2. San Luis Bay Estates. The following standards apply only to the San Luis Bay Estates (see Figure 106-2), to the specific areas listed.

- a. Limitation on use.** Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: accessory storage; bars and night clubs; caretaker residence; convenience and liquor stores; grocery stores; hotels and motels; indoor amusements and recreation; outdoor sports and recreation; pipelines and transmission lines; public safety facilities; restaurants; rural recreation and camping; temporary events.
- b. Floodplains.** Floodplain areas containing natural habitats shall be preserved in their natural state.
- c. Trails.** New residential and commercial development shall be accompanied by construction of trails adjacent to San Luis Obispo Creek connecting the Avila Valley and Avila Beach recreation areas.

F. Residential Suburban (RS). The following standards apply within the Residential Suburban land use category.

1. Avila Valley. The following standards apply only to Avila Valley (see Figure 106-1), to the specific areas listed.

- a. Limitation on use.** Land uses identified by Section 22.06.030 as being allowable, permitted, or conditional uses in the RS land use category may be authorized in compliance with the land use permit requirements of that Section, except: cemeteries and columbariums; child day care centers and family day care homes; forestry; grocery stores; mobile home parks; nursery specialties; nursing and personal care; residential care; restaurants; rural recreation and camping; schools, elementary and secondary.
- b. Permit requirement.** Conditional Use Permit approval is required for all uses (except secondary dwellings) prior to approval of a Tentative Map for land division. Preservation of existing views and scenic values are factors to be considered in the Review of the Conditional Use Permit.
- c. Application content.** Conditional Use Permit applications shall include sufficient information to determine the proper method of sewage treatment and disposal based on site characteristics.
- d. Site planning.** Proposed projects shall be planned in compliance with the cluster division provisions of Section 22.22.140. The minimum size for new parcels is 10,000 square feet, or as otherwise required by the method of sewage disposal to be used. Density credits will be given for open space and hazard lands, except for land within actual flood channels.
- e. Tract 699.** The following standards apply to Tract 699, in addition to the standards in Subsections F.1.a through F.1.d, where applicable.

- (1) **Density limitation - Land divisions.** Net density for Lot 28, including any open space lot subsequently created, is not to exceed one dwelling unit per 3.3 acres, consistent with sewage disposal requirements. Lot 31, the area offered for dedication to the County for open space and recreation purposes, shall have no dwelling unit entitlement. No other lots within Tract 699 shall be re-subdivided or split into lots of lesser size than the original lot.
- (2) **Location requirements.** Development of Lot 28 shall be primarily located east of a line extending along the north-south ridge running through the property, with landscape screening where needed, so that development is generally out of view of San Luis Bay Drive. A maximum of three dwelling units may be located west of the north-south ridge, subject to the following criteria.
 - (a) Development shall be partially screened from San Luis Bay Drive with landscaping conforming to the character of the natural landscape of the surrounding area.
 - (b) As part of the required Conditional Use Permit application, a visual analysis shall be prepared by a consultant approved by the Environmental Coordinator that analyzes three dimensional building envelopes for dwellings and accessory structures. A conceptual grading analysis shall also be prepared. The conceptual grading analysis and visual analysis shall demonstrate that the following criteria are met.
 - i. All structures shall be located so that they do not extend above the horizon line of the ridgeline as viewed from San Luis Bay Drive.
 - ii. Grading shall be minimized and retaining walls greater than three feet in height and all graded slopes shall not be visible from San Luis Bay Drive.
 - iii. Setbacks from San Luis Bay Drive shall be maximized, but in no case shall structures be closer than 50 feet from San Luis Bay Drive.
- (3) **Permit requirement.** Minor Use Permit approval is required for all uses except secondary dwellings prior to any grading or construction, to ensure compliance with the objectives and requirements of the approved Conditional Use Permit. Minor Use Permits are subject to the following criteria.
 - (a) Plans shall be approved by the Architectural and Planning Board for Avila Valley Estates prior to submittal to the Department.
 - (b) Buildings shall be placed within required building site envelopes unless an exception is approved through the required Minor Use Permit approval process.
 - (c) Plans shall include grading plans which shall minimize grading and prohibit alteration of established drainage patterns.

- (d) Structures are limited to a single story unless proposals for taller structures will not appreciably increase obstruction of views and reduction of scenic values. Multi-level structures may be appropriate to reduce grading on sloping sites.
 - (e) Design and landscaping shall harmonize with the natural landscape. Accessory uses, structures, and activities which conflict with natural aesthetic values shall be prohibited.
 - (f) Plans shall include septic systems approved by the County Public Works and Health Departments. Engineered specialized septic systems shall be used unless conventional systems meet the conditions of tract map approval.
- (4) **Circulation and access.** Development on Lot 28 which generates additional traffic shall contribute a proportional share of fees and/or improvements to mitigate cumulative traffic impacts (as determined by a comprehensive traffic study prepared by the applicant or made available by others during the environmental review for the required Conditional Use Permit or subdivision application) on Avila Road and San Luis Bay Drive, if necessary. Traffic mitigation fees shall be required either as part of discretionary approvals or upon adoption of an ordinance establishing traffic mitigation fees.

Access for development on Lot 28 shall be provided by no more than two road connections to San Luis Bay Drive. The road connections shall be aligned with existing intersections where feasible and shall maximize sight distances.

- (5) **Mitigation of land use conflicts.** In order to mitigate potential land use conflicts between agricultural activities, the adjacent elementary school and proposed residential development, the required Conditional Use Permit for development on Lot 28 of Tract 699 shall address animal keeping, crop production and grazing and animal facilities uses. The criteria in the following items (a) through (d) shall be incorporated into the project design and/or conditions of approval of the Conditional Use Permit. Item (e) shall be addressed during the environmental review for the Conditional Use Permit.
- (a) A buffer area and fencing between agricultural uses and the elementary school shall be established as approved by the Director, the Agricultural Commissioner, and the San Luis Coastal Unified School District.
 - (b) Animal densities shall be determined and barns, stables and animal enclosures shall be located away from the elementary school to minimize health, safety and nuisance impacts, in a manner approved by the Director in consultation with the County Environmental Health Division, and the San Luis Coastal Unified School District.
 - (c) Agricultural practices will be governed by the Agricultural Commissioner's Office to ensure compliance with all applicable regulations and requirements regarding the use of restricted pesticides.

Restricted pesticides shall only be used in accordance with a current restricted materials permit issued by the County Agricultural Commissioner.

- (d) Agricultural practices shall comply with all applicable requirements of the Water Quality Control Plan, Central Coast Basin regarding limiting water quality impacts to San Miguelito/San Luis Obispo Creek.
- (e) During environmental review, a plan shall be submitted by the applicant incorporating measures for minimizing potential impacts of nonrestricted pesticide use on the elementary school and proposed residential development. The plan shall be reviewed in consultation with the San Luis Coastal Unified School District and the County Agricultural Commissioner.

2. San Luis Bay Estates. The following standards apply only to the San Luis Bay Estates (see Figure 106-2), to the specific areas listed.

- a. Limitation on use.** Land uses within the residential clusters shall be limited to: home occupations; residential accessory uses; single-family dwellings; temporary dwellings; public safety facilities; public utility facilities; pipelines and transmission lines and storage accessory. The range of uses allowed shall be further refined through preparation of the project Master Use Permit, so that uses will be compatible with the character of each cluster.
- b. Permit requirement.** Conditional Use Permit approval is required for each proposed residential cluster. Application materials submitted shall include details of siting, grading, structure locations, circulation within the cluster and connection to the overall circulation system, in addition to items required in the Master Use Permit.
- c. Site area.** Where dwellings shall be built as multi-family units, the minimum area of buildable lots may be as small as 2,500 square feet.

[Amended 1981, Ord. 2075; 1982, Ord. 2106; 1987, Ord. 2321; Ord. 2331; 1988, Ord. 2353; 1989, Ord. 2399; 1993, Ord. 2634; Ord. 2646; 1994, Ord. 2702; 2006, Ord. 3097; 2014, Ord. 3256]

22.106.020 - Los Ranchos/Edna Village Standards

The Los Ranchos/Edna Village Specific Plan, adopted by the Board on June 5, 1984 in compliance with Resolution No. 84-238, as amended, is hereby incorporated into this Title as though it were fully set forth here. All development within the Los Ranchos/Edna Village Specific Plan area, as identified in Figure 106-4 shall be in conformity with the adopted Specific Plan and the standards contained therein. Any deviation of existing or proposed development from the provisions of the Specific Plan shall occur only after appropriate amendment of the Specific Plan. The requirements of Section 22.96.040 also apply to lands within the Los Ranchos –Edna Village.

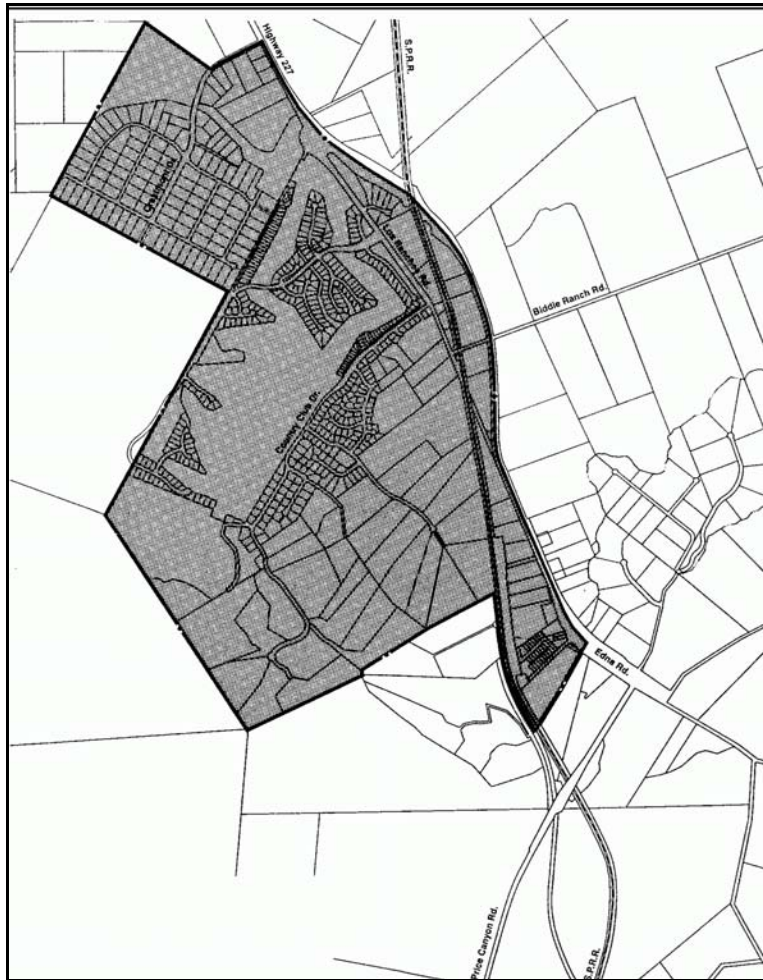


Figure 106-4 - Los Ranchos/Edna Village Area Specific Plan Area

[Amended 2014, Ord. 3256]